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FOLEY & LARDNER
3000 K STREET N W
SUITE 500
P O BOX 25696
WASHINGTON, DC 20007-8696

In re Patent No. 6,177,021
Issue Date : January 23, 2001
Application No. 09/301,624
Filed: April 29, 1999
Attorney Docket No.: 016794/0383

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: NOTICE
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The above-identified patent has been referred to the Office of Petitions for consideration of a facsimile communication filed July 31, 2012 by European Patent Annuity Service GmbH. The communication is being treated as a request under 37 CFR 1.28(c), as it includes authorization to charge a maintenance fee deficiency and a letter indicating that patentee is no longer entitled to claim status as a small entity.

The request for acceptance of a fee deficiency submission under 37 CFR 1.28 (c) is
DISMISSED.

The instant request does not identify the status of the submitter, European Patent Annuity Service GmbH, or the relationship of the party signing to European Patent Annuity Service GmbH. Consequently, the request is not signed by a proper party in accordance with 37 CFR 1.33(b) which reads:

- (b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:
- (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);
 - (2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;
 - (3) An assignee as provided for under § 3.71(b) of this chapter; or
 - (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

While the Office will accept maintenance fee payments from third party payers, such acceptance does not extend to prosecution papers, such as papers under § 1.28(c) to correct erroneous fee payments, or to requests that small entity status be removed.

Applicant is given **ONE MONTH** to submit a properly signed **paper requesting a change in small entity status, and a request under § 1.28(c), including a list** of the fees erroneously paid

as a small entity and the total fee deficiency to avoid the return of the present fee deficiency paper **and fee**. This time period is not extendable under 37 CFR 1.136(a).

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
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 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
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 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By Internet: EFS-Web¹

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)